

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

**LAURA UNDERWOOD** *as Executrix of the  
Estate of Douglas Stiles, Deceased, and as a  
Wrongful Death Beneficiary;* and **HEATHER K.  
STILES** *as a Wrongful Death Beneficiary*

**PLAINTIFFS**

**v.**

**Civil Action No. 1:21-cv-145-TBM-RHWR**

**UNITED STATES OF AMERICA**

**DEFENDANT**

**ORDER**

This matter is before the Court on Defendant's Motion to Dismiss [6]. At the hearing conducted in this matter on February 18, 2022, the Court, having considered the pleadings, the record, the oral arguments of counsel, and the relevant legal authority, announced its findings and conclusions. The Court concluded that the Motion to Dismiss [6] should be granted in part and denied in part. The Court determined that Plaintiff Laura Underwood, in her individual capacity as a wrongful death beneficiary, should not be dismissed. The Court further determined that Plaintiff Heather K. Stiles should be dismissed without prejudice.

THEREFORE, IT IS ORDERED AND ADJUDGED that, for the reasons stated on the record at the hearing held on February 18, 2022, Defendant's Motion to Dismiss [6] is GRANTED in part and DENIED in part.

IT IS FURTHER ORDERED that Defendant's request to dismiss Plaintiff Laura Underwood in her individual capacity is DENIED.

IT IS FUTHER ORDERED that Defendant's request to dismiss Plaintiff Heather K. Stiles is GRANTED. Plaintiff Heather K. Stiles is DISMISSED WITHOUT PREJUDICE.

THIS, the 22nd day of February, 2022.

A handwritten signature in blue ink, appearing to read "Taylor B. McNeel", is written over a horizontal line.

TAYLOR B. McNEEL  
UNITED STATES DISTRICT JUDGE